# Kozlowski, Nicole

From: Ingerman, Brett

Sent: Monday, November 6, 2023 1:37 PM

**To:** Susan M. Davies; Aaron Schlanger; Kozlowski, Nicole; Peck, Andrew; Siegfried, Jonathan;

Collins, Erin; Earnest Mckee, Lane; Setrakian, Berge; Civetta, Margaret; Coles, Anthony P.

**Cc:** Gary Osen; Ari Ungar; Zahra R. Dean; James P. Bonner; Joseph H. Tipograph; Ed

Macallister; Noel J. Nudelman; Patrick L. Rocco

**Subject:** RE: Miller v. Arab Bank; Pam v. Arab Bank

All:

As we discussed on our meet and confer, below is a proposed conceptual schedule through dispositive motions. Per Judge Kuo's July 8, 2019 Minute Order, this schedule uses the Court's decision on any sanctions motion as the basis for the remaining deadlines.

- Substantial Completion of Document Production: March 29, 2024
- Parties' Motions for Sanctions, If Any: 60 days after Substantial Completion of Document Production
- Oppositions to Motions for Sanctions: 60 days after Motion
- Replies in support of Motions for Sanctions: 30 days after Opposition
- Close of Fact Discovery: 6 months after final decision on any Motion for Sanctions (this would include resolution of any exceptions)
- Case-in-Chief Expert Reports: 90 days after the Close of Fact Discovery
- Rebuttal Expert Reports: 60 days after Case-in-Chief Expert Reports
- Close of Expert Discovery: 60 days after Rebuttal Reports
- Dispositive Motion Deadline: 60 days after close of Expert Discovery
- Opposition to Dispositive Motion: 60 days after dispositive motion filed
- Reply: 30 days after opposition to dispositive motion filed

In addition, we have further discussed the technology available to OCR Arabic documents. When there is a scanned Arabic PDF, the OCR technology is not advanced enough to decipher Arabic characters and create a searchable document. This is true whether or not there is an additional watermark overlayed on the document. In our experience, when we attempt to OCR scanned Arabic PDFs without watermarks, we receive outputs which include a unreadable combination of numbers, symbols, and other miscellaneous characters.

However, we understand that Plaintiffs claim to be aware of more sophisticated OCR technology that is capable of converting a scanned Arabic language PDF without a watermark into a searchable document. If that is correct, we would appreciate it if you could provide us with a sample which includes: (1) the original scanned Arabic PDF (without any watermark); and (2) the successful OCR of that document, for our review.

Thank you, Brett

From: Susan M. Davies <Sdavies@fbrllp.com> Sent: Thursday, November 2, 2023 1:35 PM

# 

<Margaret.Civetta@us.dlapiper.com>; Coles, Anthony P. <anthony.coles@us.dlapiper.com>

**Cc:** Gary Osen <gosen@osenlaw.com>; Ari Ungar <aungar@osenlaw.com>; Zahra R. Dean <zdean@kohnswift.com>; James P. Bonner <JBonner@fbrllp.com>; Joseph H. Tipograph <jhtipograph@hnklaw.com>; Ed Macallister <emacallister@perleslaw.com>; Noel J. Nudelman <njnudelman@hnklaw.com>; Patrick L. Rocco <Procco@fbrllp.com>

Subject: RE: Miller v. Arab Bank; Pam v. Arab Bank

# A

## **EXTERNAL MESSAGE**

# Dear Brett:

Plaintiffs would like to add to the agenda below discussion concerning the implications of the disclosure in your October 16, 2023 letter that Arab Bank does not intend to produce the documents of clients who do not waive bank secrecy.

With best regards, Susan

From: Ingerman, Brett < <a href="mailto:brett.ingerman@us.dlapiper.com">brett.ingerman@us.dlapiper.com</a>>

Sent: Wednesday, November 1, 2023 2:00 PM

**To:** Aaron Schlanger < <u>aschlanger@osenlaw.com</u>>; Kozlowski, Nicole < <u>nicole.kozlowski@us.dlapiper.com</u>>; Peck, Andrew

<andrew.peck@us.dlapiper.com>; Siegfried, Jonathan <<u>Jonathan.Siegfried@us.dlapiper.com</u>>; Collins, Erin

<Erin.Collins@us.dlapiper.com>; Earnest Mckee, Lane <lane.mckee@us.dlapiper.com>; Setrakian, Berge

< <u>Berge.Setrakian@us.dlapiper.com</u>>; Civetta, Margaret < <u>Margaret.Civetta@us.dlapiper.com</u>>; Coles, Anthony P.

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**Cc:** Gary Osen <<u>gosen@osenlaw.com</u>>; Ari Ungar <<u>aungar@osenlaw.com</u>>; Zahra R. Dean <<u>zdean@kohnswift.com</u>>;

James P. Bonner < JBonner@fbrllp.com >; Susan M. Davies < Sdavies@fbrllp.com >; Joseph H. Tipograph

<<u>ihtipograph@hnklaw.com</u>>; Ed Macallister <<u>emacallister@perleslaw.com</u>>; Noel J. Nudelman

<njnudelman@hnklaw.com>; Patrick L. Rocco <Procco@fbrllp.com>

Subject: RE: Miller v. Arab Bank; Pam v. Arab Bank

All-

We are in receipt of Gary's October 28 letter which asks a total of 75 questions about the Bank's electronic records. We in the process of addressing those questions, but given the number of questions and the circumstances in the Middle East right now, we will not be in a position to discuss those issues tomorrow. That said, we propose the following agenda for our meet and confer:

- The use of the Highly Confidential watermark on the Bank records
- The resolution of the scans produced by both the plaintiffs and defendant
- Dates for a proposed case management order
- Scheduling depositions for the remaining US-based plaintiffs:
  - Miller
    - Phillip Bauer (Himself, Ella Bauer, and Ludwig Bauer)
    - Eli Cohen

o Pam

Mayer Moskowitz

Further, if there are additional issues from my letter of today that you are ready to discuss, feel free to add them to the agenda. Thanks.

**Brett** 

From: Aaron Schlanger <aschlanger@osenlaw.com>

Sent: Saturday, October 28, 2023 9:39 PM

**To:** Kozlowski, Nicole <nicole.kozlowski@us.dlapiper.com>; Ingerman, Brett <br/>
| Siegfried | Siegfr

<a href="mailto:anthony.coles@us.dlapiper.com">

**Cc:** Gary Osen <<u>gosen@osenlaw.com</u>>; Ari Ungar <<u>aungar@osenlaw.com</u>>; Zahra R. Dean <<u>zdean@kohnswift.com</u>>; James Bonner <<u>JBonner@fbrllp.com</u>>; Susan M. Davies <<u>Sdavies@fbrllp.com</u>>; Joseph H. Tipograph <<u>jhtipograph@hnklaw.com</u>>; Ed Macallister <<u>emacallister@perleslaw.com</u>>; Noel J. Nudelman <<u>njnudelman@hnklaw.com</u>>; Patrick L. Rocco <<u>Procco@fbrllp.com</u>>

Subject: RE: Miller v. Arab Bank; Pam v. Arab Bank

# ▲ EXTERNAL MESSAGE

Counsel,

Please see the attached correspondence.

Aaron Schlanger

Attorney at Law

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From: Kozlowski, Nicole <nicole.kozlowski@us.dlapiper.com> Sent: Thursday, October 19, 2023 6:00 PM  To: Susan M. Davies <sdavies@fbrllp.com>; Ingerman, Brett  </sdavies@fbrllp.com></nicole.kozlowski@us.dlapiper.com>
CAUTION: This email originated from outside of the organization.
Counsel:
Please see the attached correspondence.
Thank you,
Nicole

## Nicole Marie Kozlowski

Associate

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DLA Piper LLP (US) dlapiper.com



From: Kozlowski, Nicole

Sent: Monday, October 16, 2023 6:09 PM

**To:** Susan M. Davies <<u>Sdavies@fbrllp.com</u>>; Ingerman, Brett <<u>brett.ingerman@us.dlapiper.com</u>>; Gary Osen

<gosen@osenlaw.com>; James Bonner <<u>JBonner@fbrllp.com</u>>

**Cc:** Ari Ungar <a href="mailto:aungar@osenlaw.com">aungar@osenlaw.com</a>; Peck, Andrew <a href="mailto:andrew.peck@us.dlapiper.com">andrew.peck@us.dlapiper.com</a>; Siegfried, Jonathan <Jonathan.Siegfried@us.dlapiper.com</a>; Collins, Erin <Erin.Collins@us.dlapiper.com</a>; Earnest Mckee, Lane

<Margaret.Civetta@us.dlapiper.com>; Coles, Anthony P. <anthony.coles@us.dlapiper.com>; Aaron Schlanger

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<njnudelman@hnklaw.com>; Patrick L. Rocco <Procco@fbrllp.com>

Subject: RE: Miller v. Arab Bank; Pam v. Arab Bank

Counsel:
Please see the attached correspondence.
Thank you,
Nicole

Nicole Marie Kozlowski

# 

#### Associate

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